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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ALICE MARIE RODRIGUEZ,
Plaintiff,
vs.
KILOLO KIJAKAZI, Acting
Commissioner of Social Security,
Defendant.

Case No. 1:21-cv-00463-DAD-BAM
STIPULATION AND ~~PROPOSED~~
ORDER FOR EXTENSION OF
TIME

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from June 30, 2022 to August 29, 2022, for Plaintiff to serve on defendant with Plaintiff's Opening Brief. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's second request for an extension of time. Good cause exists for this extension. As Counsel has reported previously in many other cases in this district, Counsel for the Plaintiff underwent major orthopedic surgery on

1 March 17, 2022. Although it has been over two months, Counsel for Plaintiff
2 continues to experience significant pain and the secondary effects of medications.
3 Counsel continues to work short periods throughout the day with significant breaks
4 throughout. Counsel continues to attend physical therapy four days a week.

5 Secondly, as this Court is well aware, Social Security case filings in federal
6 court increased due to a combination of factors including an increase in appeals
7 council decisions and an increase in hearings at the administrative levels. Then, as
8 a result of the pandemic, shelter-in-place mandates, and Court ordered Stays, there
9 were significant delays in producing transcripts. In recent months, Counsel for the
10 Plaintiff has received a greater-than-usual number of Answers and Certified
11 Administrative Records from defendant including over 78 cases from February
12 through April 2022.

13 Currently, for the weeks of June 20, 2022 and June 27, 2022, Counsel for
14 Plaintiff has nine merit briefs, and several letter briefs and reply briefs. With this
15 number expected to grow.

16 Defendant does not oppose the requested extension. Counsel apologizes to
17 the Defendant and Court for any inconvenience this may cause.

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19 Respectfully submitted,

20 Dated: May 25, 2022 PENA & BROMBERG, ATTORNEYS AT LAW
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22 By: /s/ Jonathan Omar Pena
23 JONATHAN OMAR PENA
24 Attorneys for Plaintiff
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26 Dated: May 26, 2022 PHILLIP A. TALBERT
27 United States Attorney
28 PETER K. THOMPSON

1 Acting Regional Chief Counsel, Region IX
2 Social Security Administration

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4 By: **/s/ Patrick Snyder*
5 Patrick Snyder
6 Special Assistant United States Attorney
7 Attorneys for Defendant
8 (*As authorized by email on May 26, 2022)
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ORDER

Pursuant to the parties' stipulation, and good cause appearing, Plaintiff's request for an extension of time to file an Opening Brief is GRANTED. Plaintiff shall file an Opening Brief on or before August 29, 2022. All other deadlines in the Court's Scheduling Order are modified accordingly.
IT IS SO ORDERED.

Dated: May 31, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE